

2. DRIVER'S LICENSE SUSPENSION - CAUSE NO. _____**(check offense applicable)**

- () Penal Code §49.04 **Class B Misdemeanor DWI**, §49.045 **DWI With Child Passenger** (9/1/2009→offense), §49.07 **Intoxication Assault** (using motor vehicle): driver's license suspension for **not <90 days or >1 year** [**exceptions: 1 year** suspension if current §49.07 offense 9/1/01→ & within 5 years of commission date of a prior §49.07 offense; **1 year** suspension if <21 @ time of offense (**18 months** if a subsequent Subchapter O suspension); see below if placed on community supervision];
- () Penal Code §49.09(b) **Felony DWI**, §49.09(a) **Class A Misd. DWI**, §49.08 **Intoxication Manslaughter**: driver's license suspension for **not <180 days or >2 years** [**exceptions: not <1 year or >2 years** if current offense 9/1/01→ & within 5 years of commission date of prior Chapter 49 offense (using motor vehicle) or if current §49.08 offense 9/1/01→ & within 10 years of commission date of a prior §49.08 offense; **1 year** suspension if <21 years @ time of offense (**18 months** if subsequent Subchapter O suspension); see below if placed on community supervision];

Chapter 49 Intoxication offenses community supervision exception: Driver's license is **not suspended (revoked)** if placed on community supervision and required to successfully complete C.C.P. Art. 42.12 §13(h) or (j) educational program: unless (1) punished under Penal Code §49.09 & has previously been required to attend an Art. 42.12 §13 educational program (or prior attendance waived); or unless (2) offense ≥9/1/2001 punished under Penal Code §49.09(a) or (b) & prior Chapter 49 offense (using motor vehicle) committed within 5 years of current offense date; or unless (3) **90 day suspension required** if <21 years of age at time of §49.04-§49.08 offense 9/1/2009→ or if <21 years of age when convicted of §49.04-§49.08 offense committed prior to 9/1/2009).

- () **Health & Safety Code Ch. 481 Controlled Substances offenses:** driver's license suspension for 180 days on final conviction or if defendant did not hold a license on date of conviction, period of denial is 180 days after the date the defendant applies to the DPS for reinstatement or issuance of license (note - suspension/denial continues indefinitely thereafter until successfully completes required educational program);
- () **Transportation Code §550.021 Accident Involving Personal Injury or Death;** other motor vehicle law felonies; **Penal Code §38.04 Evading Arrest or Detention** (limited to "using motor vehicle" 9/1/2005→), §19.05 **Criminally Negligent Homicide** (using motor vehicle), §19.04 **Manslaughter** using motor vehicle (9/1/2007→ offense); **Health & Safety Code Chapter 483 Dangerous Drugs** offenses (if <21 @ time of offense) & **Chapter 485 Abusive Volatile Chemical** offenses (effective 9/1/2003 & if <21 @ time of offense): **driver's license suspension for 1 year on final conviction (18 months if suspension is a subsequent Subchapter O suspension).**